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In re Application of:
Eric C. Hannah
Serial No.: 09/966,024
Filed: September 28, 2001
Attorney Docket No.: 42390.P11816

DECISION ON PETITION TO
WITHDRAW THE HOLDING
OF ABANDONMENT

This is in response to applicant's petition under 37 CFR § 1.181(a) filed on July 15, 2005, requesting withdrawal of the holding of abandonment based on the timely filing of a response to the Office action mailed September 30, 2003.

A review of the file history shows that the examiner mailed an Office action to applicant on September 30, 2003, setting a one-month statutory time period for reply. On April 19, 2005, the examiner mailed a notice of abandonment for failure to respond to the outstanding Office action.

Applicant states that a timely response to the Office action was filed on October 22, 2003, as evidenced by the Certificate of Mailing date of October 22, 2003; and received by the USPTO on October 27, 2003, as evidenced by the return receipt stamped postcard identifying the papers filed.

In view of this evidence, applicant is considered to have submitted a timely reply.

Applicant's petition is **GRANTED**. This application will be forwarded to the examiner for consideration of the Response of October 22, 2003.

Should there be any questions about this decision, please contact Marianne C. Seidel by letter addressed to Director, TC 1600, at the address listed above, or by telephone at 571-272-0584 or facsimile at 703-872-9306.

Jasmine Chambers
Director, Technology Center 1600